

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Transfer My Timeshare, et al.

v.

Civil No. 08-cv-00118-JL

Laura Selway, et al.

O R D E R

The Preliminary Pretrial Conference was held in chambers on October 28, 2008.

Both parties waived jury trial.

Reliable Timeshare Closing Services is not a legal entity, and is dismissed from the case by agreement of the parties.

The Discovery Plan (document no. 35) is **approved** as submitted.

Based on the discussions between the court and counsel at the conference, the following are **stricken** without prejudice to being reinstated on request if warranted by the evidence:

- plaintiff's claims: none
- affirmative defenses: third (unclean hands), fifth (res judicata and collateral estoppel), sixth (waiver) and seventh (fraud and deceit).

The defendant will amend ¶¶ 27, 32, 35 and 48 of her Answer to more clearly indicate her positions and in light of the confusion created by the re-filing of document #13 as document #14, will review her entire answer to ensure its accuracy.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: October 29, 2008

cc: Edwinna C. Vanderzanden, Esq.
Jon Nathan Strasburger, Esq.